

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM ALEXANDER CRUZ,

Defendant.

CR-15-43-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 26, 2021. (Doc. 87.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 24, 2021. (Doc. 86.) The United States accused Cruz of violating his conditions of supervised release by committing another crime. (Doc. 67.)

At the revocation hearing the government satisfied its burden of proof with respect to the alleged violation. (Doc. 86.) Judge Johnston found that the violation

proved to be serious and warranted revocation, and recommended that Cruz receive a custodial sentence of time served with no supervised release to follow. (Doc. 87.) Cruz was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 86.) The violation proves serious and warrants revocation of Cruz's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 87) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant William Alexander Cruz be sentenced to time served, with no supervised release to follow.

DATED this 28th day of June, 2021.



Brian Morris, Chief District Judge
United States District Court

